

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

— against —

DWAYNE BOWENS,

Defendant.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1-9-08

07 Cr. 376 (VM)

ORDER

**VICTOR MARRERO, United States District Judge.**

The Government (see attached letter) requests that the conference scheduled for January 11, 2008 be adjourned. Defendant joins in this request for adjournment. The next conference in this matter shall be held on January 25, 2008 at 11:30 a.m.

All parties to this action consent to an exclusion of the adjourned time from the Speedy Trial Act until January 25, 2008.

It is hereby ordered that the adjourned time shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv).

**SO ORDERED:**

Dated: New York, New York  
9 January 2008



Victor Marrero  
U.S.D.J.



United States Attorney  
Southern District of New York

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

January 8, 2008

**BY HAND**

The Honorable Victor Marrero  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Room 660  
New York, New York 10007

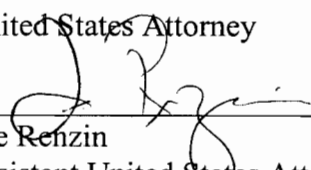
Re: United States v. Dwayne Bowens,  
07 Cr. 376

Dear Judge Marrero:

The Government writes to confirm the rescheduling of the January 11, 2008 status conference in this matter to January 25, 2008 at 11:30 a.m. On January 3, 2008, the defendant submitted a request for deferred prosecution or, alternatively, for a misdemeanor charge (the "Request"). The Government respectfully requests that time be excluded under the Speedy Trial Act from today through the date of the rescheduled status conference, so that the Government can evaluate the Request and so that the parties can continue to discuss an early disposition of the case. Defense counsel consents to this request.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By:   
Lee Renzin  
Assistant United States Attorney  
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cc: Xavier Donaldson, Esq.  
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